

COPY FOR CONTINUING  
APPLICATION

DOCKET NO: D6156

### COMBINED DECLARATION AND POWER OF ATTORNEY

We, Stavros C. Manolagas, Robert L. Jilka, Robert S. Weinstein, and Teresita Bellido, hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names, we believe we are the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled, *Methods of Screening for Apoptosis-Controlling Agents for Bone Anabolic Therapies and Uses Thereof*; the specification of which is attached hereto and which claims benefit of priority under 35 U.S.C. 119(e) of U.S. provisional applications 60/116,409, filed January 19, 1999 and USSN 60/103,385, filed October 7, 1998.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. We acknowledge the duty to disclose all information we know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56(a).

We hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Dr. Benjamin Adler, Registration No. 35,423. Address all telephone calls to Dr. Benjamin Adler at telephone number 713/777-2321. Address correspondence to Dr. Benjamin Adler, MCGREGOR & ADLER, LLP, 8011 Candle Lane, Houston, TX 77071.

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor: Stavros C. Manolagas

Inventor's Signature: [Signature] Date: 10-5-99

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Full Name of Inventor: Robert J. Jukka

Inventor's Signature: Robert J. Jukka Date: 5 Oct 1999

Residence Address: 14202 Clarborne Little Rock, AR 72211

Citizen of: United States of America

Post Office Address: 14202 Clarborne, Little Rock, AR 72211

Full Name of Inventor: Robert S. Weinstein

Inventor's Signature: R. Weinstein Date: 5 Oct 1999

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Full Name of Inventor: Teresta Bellido

Inventor's Signature: Teresta Bellido Date: 5 Oct. 1999

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FROM : MCGREGOR&ADLER, P.C.

PHONE NO.

Oct. 04 1999 10:21AM P2

**COPY**

Applicant or Patentee: **Manolagas, et al.**

Docket No.: **D6156**

Serial or Patent No.:

Filed or Issued:

For: **Methods of Screening for Apoptosis-Controlling Agents for Bone Anabolic Therapies and Uses Thereof**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27(c)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official of the nonprofit organization empowered to act on behalf of the concern identified below:

**Name of Organization:** Board of Trustees of the University of Arkansas

**Address of Concern:** 2404 North University Avenue  
Little Rock, Arkansas 72207-3608

**Type of Organization:** University or other institution of higher learning.

I hereby declare that the above identified nonprofit organization qualifies as a nonprofit organization as defined in 37 CFR 1.9(e), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization identified above with regard to the invention, entitled as named above by inventor(s) as named above described in the specification filed herewith.

If the rights held by the above identified nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an individual under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name \_\_\_\_\_

Address \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name Of Person Signing: Harold J. Evans

Title Of Person: Associate Vice President for Legal Affairs

Address Of Person Signing: 2404 North University Ave., Little Rock, AR 72207-3608

Signature: [Signature]

Date: October 4, 1999

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/413,785  
Applicant : Manolagas et al.  
Filed : October 7, 1999  
T.C./A.U. : 1632  
Examiner : Baker

Docket: 06572.105003  
Customer No. : 20786

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

APPOINTMENT OF ASSOCIATE ATTORNEY

Commissioner of Patents  
Washington, D.C. 20231

Sir:

Please recognize David E. Brook, Reg. No. 22,592, of the firm of Hamilton Brook Smith and Reynolds PC, 530 Virginia Rd, P O Box 9133, Concord, MA, 01742, as Associate Attorney in the above-identified application, and address all future communication to David E. Brook, Esq.

Respectfully submitted,

*Sherry M. Knowles*

WITH EXPRESS PERMISSION

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Sir:

Please recognize David E. Brook, Reg. No. 22,592, of the firm of Hamilton Brook Smith and Reynolds PC, 530 Virginia Rd, P O Box 9133, Concord, MA, 01742, as Associate Attorney in the above-identified application, and address all future communication to David E. Brook, Esq.

Respectfully submitted,

*Sherry M. Knowles*  
WITH EXPRESS PERMISSION *Stephanie D Adams* Reg No 47,378  
Sherry M. Knowles  
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